

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF WASHINGTON

RIVERSTONE CENTER WEST, LLC, A
WASHINGTON LIMITED LIABILITY COMPANY;
ET AL.

Plaintiff/Petitioner

VS.
BARNES & NOBLE BOOKSELLERS, INC., A
DELAWARE CORPORATION; ET AL.

Defendant/Respondent

Cause #: CV-08-395-EFS

Declaration of Service of:

SUMMONS IN A CIVIL ACTION; COMPLAINT AND JURY DEMAND

Hearing Date:

Declaration:

The undersigned hereby declares: That s/he is now and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the date and time of

Dec 23 2008 3:18PM

at the address of

1780 BARNES BLVD SW TUMWATER

within the County of

THURSTONState of **WASHINGTON**

the declarant duly served the above described documents upon

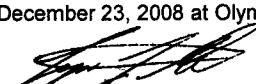
BARNES & NOBLE, INC.by then and there personally delivering **1** true and correct copy(ies) thereof, by then presenting to and leaving the same with**KRIS CHAVEZ, AGENT AUTHORIZED TO ACCEPT SERVICE**

No information was provided that indicates that the subjects served are members of the U.S. military.

I hereby declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: December 23, 2008 at Olympia, WA

by _____


L. Gore

The documents listed above were served in accordance with RCW 4.28.080 and/or client instructions. If service was substituted on another person or left with a person that refused to identify themselves, it is incumbent upon the client to notify ABC Legal Services, Inc. immediately in writing if further attempts to serve, serve by mail, or investigate are required. If service was substituted on another person, pursuant to RCW 4.28.080 (16), service shall be complete on the tenth day after a copy of the documents are mailed to the subject at the address where service was made. Documents were not mailed by ABC Legal Services, Inc.

Service Notes:

Documents:	10.00	Secretarial:	0.00	Other:	4.90
Travel:	32.50	Postage:	0.00	Total:	88.90
Invalid Address (0)	0.00	Photo:	0.00	Pre-Paid Retainer:	0.00
Proof Preparation:	10.00	Rush / Special:	18.00		
Summons Copy:	3.50	Wait / Stake Out Time:	10.00	AMOUNT DUE	88.90

Client Ref.: **80892-1**

Witherspoon, Kelley-Spk

1100 U. S. Bank Bldg. 422 W Riverside Ave

Spokane, WA 99201

509 624-5265

PROOF OF SERVICE

Page 1 of 1



ABC Legal Services, Inc.
633 Yesler Way Seattle, WA 98104
206 521-9000
Tracking #: **5656065**



ORIGINAL**E-FILE WITH CLERK'S OFFICE**

AO 440 (Rev. 04/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

Riverstone Center West, LLC; Riverstone Center)
 East, LLC; Riverstone Center, LLC,)
)
)
)

PlaintiffS) Civil Action No. CV-08-395-EFS
 v.)
 Barnes & Noble Booksellers, Inc.; Barnes & Noble,)
 Inc.,)
)
)

Defendant

Summons in a Civil ActionTo: *(Defendant's name and address)*

Barnes & Noble, Inc.
 c/o Capitol Corporate Services Inc.
 1780 Barnes Blvd. SW, Bldg. G
 Tumwater, WA 98512-0410

A lawsuit has been filed against you.

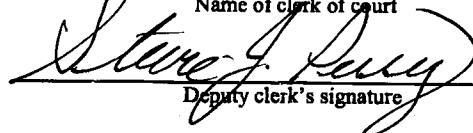
Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

William D. Symmes and William M. Symmes
 Witherspoon, Kelley, Davenport & Toole, P.S.
 1100 U.S. Bank Building, 422 West Riverside
 Spokane, WA 99201

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JAMES R. LARSEN

Name of clerk of court



Deputy clerk's signature

Date: December 22, 2008

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

AO 440 (Rev. 04/08) Civil Summons

Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____, by:

- (1) personally delivering a copy of each to the individual at this place, _____ ; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____
who resides there and is of suitable age and discretion; or
(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is _____ ; or
(4) returning the summons unexecuted to the court clerk on _____ ; or
(5) other (specify) _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

Date:

Server's signature

Printed name and title

Server's address